

JUL 28 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/901,512

Applicant: Ross et al.

Filed: July 9, 2001

TC/AU: 7508

Examiner: Nguyen, Nga B.

Docket No.: 212463

Customer No.: 23460

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed February 28, 2005, rejecting the following claims: 7-14 and 37-46.

The items checked below are appropriate:

## 1. Status of Applicants

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

## 2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☐ other than a small entity or ☒ a small entity.

Notice of Appeal Fee due \$250.00

## 3. Extension of Time

☒ Applicants petition for a two-month extension of time under 37 CFR 1.136, the fee for which is \$225.00.

☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.

Void date: 07/29/2005 WABDELRI  
07/29/2005 WABDELRI 00000072 121216 09915512  
01 FC:2401 250.00 CR  
02 FC:2252 225.00 CR

07/29/2005 WABDELRI 00000072 121216 09915512  
01 FC:2401 250.00 DA  
02 FC:2252 225.00 DA  
07/29/2005 WABDELRI 00000072 121216 09915512  
01 FC:2401 250.00 DA  
02 FC:2252 225.00 DA

07/29/2005 WABDELRI 00000083 09901512

01 FC:2401 250.00 DA  
02 FC:2252 225.00 DA

In re Appln. of Ross et al.  
Application No. 09/901,512

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$225.00

4. **Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$250.00
Extension Fee (if any)	\$225.00

**Total Fee Due: \$475.00**

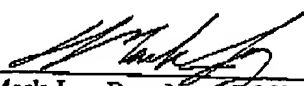
5. **Fee Payment**

- ☐ Attached is a check in the sum of \$  
☒ Charge Account No. 12-1216 the sum of \$475.00. A duplicate of this transmittal is attached.

6. **Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,

  
Mark Joy, Reg. No. 35,562  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza  
180 North Stetson Ave., Suite 4900  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: July 27, 2005

In re Appln. of Ross et al.  
Application No. 09/901,512

### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (along with any documents referred to as attached or enclosed) is being transmitted by facsimile to the United States Patent and Trademark Office, Attention: Examiner Nga B. Nguyen, Art Unit 7508, Facsimile Number 571-273-8300, on the date indicated.

Date: July 28, 2005

Jacquelyn Hurd

(Typed or printed name of person transmitting)

  
(Signature of person transmitting)

Appeal Notice (Revised 2005 08 01)